REMARKS

Claims 1-17 are pending in this application, of which claim 1 has been amended. No new claims have been added.

Claims 1, 2, 4, 5, 8 and 17 stand rejected under 35 U.S.C.§103(a) as unpatentable over World Patent WO 03/072263 A1 to Sumiyoshi et al (hereafter "**Sumiyoshi et al**") in view of U.S. Patent 4,069,974 to Zawacki (hereafter "**Zawacki**").

Applicants respectfully traverse this rejection.

Sumiyoshi et al, which is admitted as prior art on page 1, line 7 of the specification of the instant application, discloses an electrostatic spraying device being configured and disposed to electrostatically charge and dispense a liquid composition from a supply to a point of dispersal, wherein the device comprises: a reservoir configured to contain the supply of liquid composition; a nozzle (250) a channel disposed between the reservoir and the nozzle; a high voltage electrode (430) being electrically connected to the high voltage power supply; a portion of the high voltage electrode (430) being disposed between the reservoir and the nozzle (280) and a nozzle pathway (300) disposed between the charging location (310) and the nozzle (280).

The Examiner has admitted that **Sumiyoshi et al** fails to disclose a field electrode surrounding the reservoir, but he has cited **Zawacki** for teaching this feature.

Applicants respectfully disagree.

Zawacki discloses an electrostatic powder coating apparatus comprising: (A) an electrostatic spray gun for dispensing a mixture of electrostatically charged powder coating particles and a gas (e.g., air) inert to said particles; (B) a shroud which is attached to said gun; (C) a mixing chamber disposed in the rearward section of said shroud and into which said gun dispenses said mixture; (D) a forward section of said shroud having an opening adapted to be disposed in a position relative to the substrate such that powder coating particles issuing from the opening are attracted to said substrate; (E) at least two slotted openings formed by pairs of baffle plates connecting

the mixing chamber with the forward section such that the pressurized mixture from said mixing chamber may pass through said slotted openings, into said forward section and through the opening therein toward the substrate to be coated; (F) field electrodes in electrical connection with said gun and being disposed in the vicinity of said slotted openings so as to create an electrostatic field in the vicinity of the opening of said forward section; and (G) a vacuum intake port disposed in the vicinity of the opening of said forward section between the slotted openings and being adapted such that eddies of said pressurized mixture flowing from the slotted openings in the direction of said port are created and such that said powder not attracted to said substrate is collected at said port.

In **Zawacki**, the field electrodes are disposed in the vicinity of the slotted openings to create an electrostatic field such that charged particles are repelled therefrom in the direction of the substrate. This is in contrast to the present invention, in which the field electrode is arranged so as to surround the reservoir to provide the liquid therein with a common electric potential.

It would not be obvious to combine the teachings of these two references to teach the present invention because the field electrode of **Zawacki** is arranged at the slotted openings so as to create an electrostatic field which repels charged particles, while the field electrode of the instant application is not arranged at the nozzle for such a purpose. An emitter electrode is arranged there instead, which electrostatically charges the particles of the liquid composition for spraying the composition by electrostatic force. Thus, the field electrode more closely corresponds to the emitter electrode of the instant application in location and function, and therefor no reference teaches the field electrode surrounding the reservoir, as claimed in the instant application.

Thus, the 35 U.S.C. §103(a) rejection should be withdrawn.

Claim 7 stands rejected under 35 U.S.C.§103(a) as unpatentable over **Sumiyoshi et al** in view of **Zawacki** and further in view of U.S. Patent 3,747,850 to Hastings et al (hereafter "**Hastings et al**").

Applicants respectfully traverse this rejection.

Hastings et al has been cited for teaching a reservoir which is deformable and made of a dielectrode material but, like the references disclosed above, fails to teach, mention or suggest the features of claim 1, from which claim 7 depends.

Thus, the 35 U.S.C. §103(a) rejection should be withdrawn.

The Examiner has indicated that claims 3, 6 and 9-16 would be allowable if rewritten in independent form. Applicants respectfully defer this action until a FINAL Office Action, if any, is received.

The amendment to claim 1, line 9 is supported on page 16, lines 20-21 of the specification, as well as FIGS. 2 and 8.

In view of the aforementioned amendments and accompanying remarks, claims 1-17, as amended, are in condition for allowance, which action, at an early date, is requested.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paraper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 80064(302721).

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Respectfully submitted,

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